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To: Microsoft ATR
Date: 1/2/02 6:27pm
Subject: comments on settlement

I am in favor of the settlement, and the court should approve it as presented.

While the Court has no authority to modify the settlement, I am concerned that the Court may be attempting to do just that by suggesting that it will not approve it unless Microsoft agrees to pay the \$1 billion education amount in cash. The \$1 billion payment--in the form of computing materials provided to schools-- will be a significant leg up for many poorer schools across the country; thus, the settlement will benefit the "public" directly in a very real way. I doubt that requiring the \$1 billion to be paid in cash would end up having the same public interest benefit.

Settlement is also in the public interest because the Microsoft litigation has been a drag on the U.S. economy since the case was filed. Certainly there have been other factors at play since the litigation was filed, but the continuing litigation and the uncertainty that it has created throughout the technology sector have clearly been important factors in the country's continuing recession. It is important to ensure that Microsoft plays by the rules, but it is also important that the rules be written at some point in time, which is what this settlement does. Unfortunately, because some states have chosen to continue litigating against Microsoft, it is likely the drag of the Microsoft litigation on the economy will continue, although one would hope to a lesser extent. Peter Mounsey, Denver, CO